

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

JAY JULIUS MOULTRIE

Case: 1:16-mj-30282

Judge: Morris, Patricia T.

Filed: 06-17-2016 At 10:19 AM

CMP USA v. Moultrie (krk)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 16, 2016 in the county of Saginaw in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

18 United States Code, Section 922(g)(1)

21 United States Code, Section 841(a)(1)

Offense Description


Felon in possession of a firearm.

Possession with intent to deliver cocaine and crack cocaine

This criminal complaint is based on these facts:

See attached.

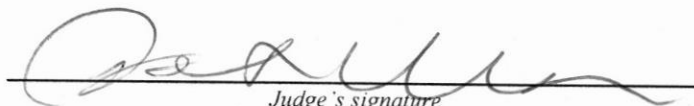
☒ Continued on the attached sheet.

*Complainant's signature*

Stephen Ross, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: June 16, 2016City and state: Bay City, Michigan*Judge's signature*

Patricia T. Morris, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

Stephen Ross, being first duly sworn on oath, states that:

1. I am employed with the Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Justice Department, and have been so employed since September 21, 2015. I successfully completed the Criminal Investigations Training Program at the Federal Law Enforcement Training Center in Brunswick, Georgia. I also completed the ATF Special Agent Basic National Training Academy in Brunswick, Georgia. During those courses of study, I received training in the investigation of federal firearm and narcotics violations. During my employment with ATF, I have conducted and participated in investigations related to the possession and manufacture of firearms and narcotics in violation of Titles 18, 21 and 26 of the United States Code.

2. I make this affidavit from personal knowledge based on my participation in this criminal investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience as a law enforcement official. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or facts of which I am aware of relating to this investigation.

3. I currently am investigating Jay Julius MOULTRIE for violations of 18 U.S.C. § 922(g), felon in possession of a firearm, and 21 U.S.C. 841(a)(1), possession with intent to deliver cocaine and crack cocaine.

4. On June 15, 2016, Bay Area Narcotics Enforcement Team (BAYANET) Detective Barry Gatza obtained a search warrant for 1136 South Jefferson Avenue, Saginaw, in the Eastern District of Michigan.

5. On June 16, 2016, BAYANET law enforcement officials executed the search warrant. Upon entry of the residence, law enforcement officials saw MOULTRIE standing in the living room and determined that no other occupants were in the residence. During the search of 1136 South Jefferson Avenue, law enforcement found no residency paperwork for anyone other than MOULTRIE.

6. During the search of the residence, law enforcement officials found a black, Smith & Wesson, model SW40EV, .40 caliber, semi-automatic pistol, in a northeast room which appeared to be used for storage. The pistol had a magazine which contained twelve rounds of .40 caliber ammunition. The pistol was found on a shelf in the closet.

7. During law enforcement's search of the master bedroom, they found unpackaged suspected crack cocaine and a bag of suspected powder cocaine on top of a dresser – next to the suspected controlled substances was a digital scale. Law enforcement later tested both the suspected crack cocaine and powder cocaine

using a field test kit and the results were positive for each controlled substance. Each controlled substance weighed approximately 16 grams. In the master bedroom, law enforcement also found adult male clothing and shoes.

8. Law enforcement continued their search of the residence and found baggies, which are commonly used to package controlled substances. Based on my training and experience, and in talking to other experienced law enforcement officials trained in the area of drug trafficking investigations, the quantity of the controlled substances, the baggies that are commonly used for drug packaging and distribution, and the digital scale found next to the controlled substances, considered together, are indicative of drug distribution.

9. Law enforcement officials also searched the residence's living room area and found bill statements with MOULTRIE's name listed as the sole payor.

10. A criminal history check on MOULTRIE reported the following felony convictions which are punishable by a term of imprisonment which exceeds one year:

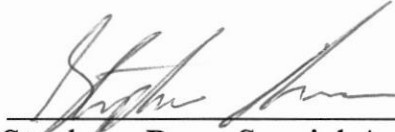
- 10th Circuit Court of Saginaw, Case Number 96-12540-FH, One Count of Felony – Possession of Narcotics. Pled GUILTY on 5/22/1997

- 10th Circuit Court of Saginaw, Case Number 06-027392-FH, One Count of Felony Police Officer – Assaulting/Resisting/Obstructing. Pled GUILTY on 5/22/2006
- 10th Circuit Court of Saginaw, Case Number 06-027392-FH, One Count of Felony Police Officer – Fleeing – Third Degree. Pled GUILTY on 5/22/2006
- 10th Circuit Court of Saginaw, Case Number 06-027392-FH, One Count of Felony Possession of Narcotics. Pled GUILTY on 5/22/2006
- 10th Circuit Court of Saginaw, Case Number 08-030854-FH, One Count of Felony Operating While Intoxicated – 3rd Offense. Pled GUILTY on 9/16/2008


11. On June 16, 2016, Special Agent Harry Powers, in his capacity as an interstate nexus authority in the manufacture and movement of firearms and ammunition in interstate and foreign commerce, determined the gun described in paragraph 6 was manufactured outside of the State of Michigan.

12. Based on the foregoing, I submit that there is probable cause to believe that on June 16, 2016, in the Eastern District of Michigan, Jay Julius MOULTRIE, committed the offenses described in Paragraph 3. Accordingly, I ask that this complaint and warrant be issued for Jay Julius MOULTRIE.

Date: 6/17/2016


Stephens Ross, Special Agent
Alcohol, Tobacco, Firearms & Explosives

Sworn to before me this 17 day of June, 2016


Hon. Patricia T. Morris
United States Magistrate Judge